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9 Attorneys for Defendant,
10 CRAIG ALLEN OGANS

11 **UNITED STATES DISTRICT COURT**
12 **NORTHERN DISTRICT OF CALIFORNIA**

13 UNITED STATES OF AMERICA,

14 Plaintiff,

15 v.

16 CRAIG ALLEN OGANS,
17 a/k/a Byron Stuart Baker,

18 Defendant.

CASE NO. CR-11-0939-RS

STIPULATION AND ~~[PROPOSED]~~
ORDER CONTINUING THE CASE
AND EXCLUDING TIME

19 WHEREAS, on December 23, 2011, the United States produced documents and
20 other materials to counsel for the defendant;

21 WHEREAS, on May 1, 2012, the United States filed a superseding indictment
22 adding charges in this case;

23 WHEREAS, on May 8, 2012, the United States produced documents and other
24 materials;
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STIPULATION AND ~~[PROPOSED]~~ ORDER EXCLUDING TIME
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1 WHEREAS, on June 25, 2012, the Superior Court of the State of California issued
2 an order unsealing the affidavits supporting the search warrants in the parallel state
3 prosecution and the United States Attorney's Office, in reliance thereon, produced the
4 underlying search warrant affidavits to counsel for the defendant, as requested;

5 WHEREAS, after review and analysis of the produced discovery, undersigned
6 counsel met and conferred regarding additional discovery necessary for the defense to
7 prepare possible motions and the government agreed to produce further discovery;
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9 WHEREAS, undersigned defense counsel received the additional discovery
10 consisting of approximately 2800 pages of documents as well as jail audio recordings on
11 July 23, 2012;
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13 WHEREAS, counsel for the government was unavailable from July 9, 2012 to
14 August 6, 2012; and counsel for the defendant was not available from July 8, 2012 to July
15 21, 2012 and will not be available from August 6, 2012 to August 17, 2012.
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17 WHEREAS, the parties agree to modifying the previously scheduled briefing
18 schedule for any motion to suppress evidence based on the searches conducted by the San
19 Francisco Police Department as follows: Defendant's brief in support of its motion to
20 suppress shall be due on August 28, 2012; the government's response shall be due on
21 September 11, 2012; the defendant's reply, if any, shall be due on September 18, 2012;
22 and the Court shall rule on any motions to suppress on September 25, 2012, and
23 otherwise set the case for trial or change of plea.
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1 WHEREAS, a failure to grant the continuance would deny defense counsel the
2 reasonable time necessary for effective preparation, taking into account the exercise of
3 due diligence, and under the circumstances, the ends of justice served by a reasonable
4 continuance outweigh the best interest of the public and the defendant in a speedy trial;

5 WHEREAS, defendant CRAIG ALLEN OGANS consents to the exclusion of
6 time from September 4, 2012 to September 25, 2012;

7
8 THEREFORE, it is hereby stipulated by and between the parties, through their
9 respective counsel of record, that the case should be continued from September 4, 2012 to
10 September 25, 2012; and the period of time from September 4, 2012, to September 25,
11 2012, shall be excluded in computing the time within which the trial of the offenses
12 alleged in the Indictment must commence under Title 18, United States Code, Section
13 3161.
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STIPULATION AND ~~[PROPOSED]~~ ORDER EXCLUDING TIME
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IT IS SO STIPULATED.

Dated: August 10, 2012

TAMOR & TAMOR

By: /S/
 RICHARD TAMOR

ATTORNEYS FOR DEFENDANT GRAIG
ALLEN OGANS

Dated: August 10, 2012

MELINDA HAAG
UNITED STATES ATTORNEY

By: /S/
ADAM A. REEVES

ASSISTANT UNITED STATES ATTORNEY
ATTORNEY

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STIPULATION AND ~~[PROPOSED]~~ ORDER EXCLUDING TIME
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[PROPOSED] ORDER EXCLUDING TIME

PURSUANT TO STIPULATION, IT IS HEREBY ORDERED that:

The ends of justice are served by finding that a continuance from September 4, 2012 to September 25, 2012, outweighs the best interests of the public and the defendant in a speedy trial and the prompt disposition of criminal cases and the Court concludes that the exclusion of time from September 4, 2012 to September 25, 2012 should be made under Title 18, United States Code, Sections 3161(h)(7)(B)(iv).

DATED: 8/20/12



HON. RICHARD SEEBORG
United States District Judge
Northern District of California